

Revenue (1943) Department

Ms SERIES.

G.O. No. 2, 66

Dated 26-7-1943

[Despatch Abstract.]

Irrigation - Minor - (Bellary) - Hadagalli Taluk - Kadlābal village -
Silt clearance, Berm cutting etc. - Estimate for Rs.5,600/- - Sanctioned
subject to certain conditions.

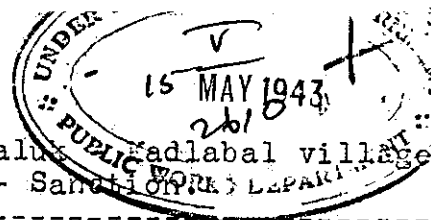
Back papers.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
------	-----	-------------	-------	------	-----	-------------	-------

Further papers

G.O.	No.	Department	Date.	G.O.	No.	Department.	Date.
MS.	112-1	Rec	2-6-44				
MS.	1279	Rec	11-7-45				

REVENUE DEPARTMENT
Subject.



IRRIGATION - Minor - (Bellary) - Hadagalli Taluk - Kadlabal village
Hagari channel - Silt clearance - Estimate - Sanction

Refce. G/h.No.4307/39-5,

Station: Bellary, dated the 10th May 1943.
From :

R. Galletti, Esq., I.C.S., Joint Secretary, Board of Revenue

E.C. Wood, Esq., C.I.E., I.C.S., Commr. of Land Rev. & Irrg

Read: Letter from A.D. Crombie Esq., C.I.E., I.C.S., Collector of
Bellary, D.Dis. C.No.3602/38, dated 13-9-1939.

-do- Ref. C. No.5035/39, dated 7th January 1940.

Letter from the Chief Engineer (Irrigation), No.840/40-C-1
dated 3-3-1943.

REFERENCE:

The revised estimate for Rs.5,600 forwarded by the
Chief Engineer (Irrigation) is submitted to the Government for san-
ction.

2. The Collector is requested in the meantime to re-
on the history of the work especially, of the amounts spent on it
in previous years. He is also informed that if the course propos-
by him is agreed to, a regular agreement which will form a contrac-
under the wording of the new amendment to the Madras Revenue Rec-
Act (Madras Act XV of 1939) will have to be got executed. The ex-
tion of the work, on receipt of sanction of the estimate by the
Government, should be made conditional on such an agreement being
executed by the ryots in due legal form, as it is essential that
all the ayacutdars must be bound.

Under Section 6 of Act I of 1858, the extra assess-
ment which the ryots have agreed to pay, must be set apart for the
benefit of the village.

186. Max. Code No. 1
B. M. (6)

T. R. Narayana
11.5.43
for JOINT SECRETARY.

To the Collector of Bellary with 1 estimate
To the Secretary to Government, Public Works
1 estimate with report and 4 plans.

NBR. 10-5.

Copy of letter D.Dis. C. No. 3602/38, dated 13-9-1939 from
the Collector of Bellary.

Sub: Irrigation - Minor - 1 Taluk - Kadlabal village
Hagari channel in disrepairs - Removal of silt etc. -
Inability of the ryots - Transfer of management to the
Revenue Department - Proposals.

The Hagari channel at Kadlabal is a minor irrigation source
an ayacut and revenue as noted below:-

ment.	nam.	Total.
Assessment.	Extent.	Assessment.
368-3-0	31-67	246-9-0
		30-10-0
		99-44
		398-13-0

It is classed as a IVth class source depending for its sup-
from the Hagari spring channel. During the heavy rains of 1935,
channel was damaged and the Public Works Department have since ex-
ted flood repairs by constructing a revetment to the channel. In
addition to the damages to the revetment the channel itself became
silted up badly. This item of work has to be attended to by the
ryots. The Revenue Divisional Officer, Hospet issued notices to

to the ryots to remove the silt in the channel under the provisions of the Kudimaramat Act. The ryots have put in a mahazar petition stating that the management of the channel may be taken over by Government, as they are unable to carry out necessary repairs and to attend to silt clearance, most of the land owners being non-residents and the work at present involving a heavy expenditure, and that in lieu of the customary labour they are willing to contribute to maintaining the channel in working order, and to pay additional cost of Rs.5/- per acre per year for the 1st three years and at Rs.3/- per acre in subsequent years. The owners of ryotwari lands and inam lands both agree to pay the additional assessment as stated above.

2. As there is no supply of water in the channel the assessment of ryotwari lands amounting to Rs.368-3-0 is being remitted every year. The Executive Engineer, Bellary who was consulted as to the advisability of taking over the management of the channel states that the ryots' offer may be accepted and the maintenance of the channel taken over by the Government.

3. With the proposed assessment, the expected revenue for the first three years will be Rs.896-1-0 per annum and Rs.697-2-0 per annum in subsequent years. To bring the channel into order an amount of Rs.2050/- has to be spent in the first year, and Rs.400/- per annum in subsequent years to keep the channel in good repairs. If the repairs are not executed and the channel is not maintained the Government will get only Rs.3010-0 per year, being the quitrent on inam lands. The financial aspects of the transfer of management to the Revenue

Expenditure	Anticipated revenue
2050 cost of	8
400 silt clearance	896
II year.	
400 Do. III year	8

2850	688
In subsequent years	697
from the 4th year	

The first 4 years is slightly less than the expenditure. It is only from the 5th year onwards the Government will realise Rs.(697 - 400) - Rs.297 as net income. The question of giving a higher classification to the source has also been considered and the financial results are furnished below.

Existing classification.	Proposed classification.		
IV class.	III Class	II Class.	I Class
Amount of assessment. 378-3-0	443-15-0	520-3-0	747-6-0
Increase	65-12-0	152-0-0	379-3-0

This change of classification will leave the inam lands without any additional assessment being levied on them. It will be beneficial only if the source is treated as a 1st class source; but it is doubtful whether this can be done as only the Tungabhadra River channels are classed as first class sources in this district.

Under Section 52 of the Revenue Recovery Act as amended by Madras Act XV of 1939, the levy of and payment of additional assessment can be enforced as terms of the contract proposed by the ayacutdars. The present amendment authorises the authorities to collect additional assessment on the inam lands also. In view of the scanty and uncertain rainfall in the district, all the

agreement to pay additional assessment Rs.5/- per acre in the first 3 years and Rs.3/- per acre from the 4th year onwards.

Copy to letter Ref.C.No.5035/39 A2. dated 7-1-1940 from the
Collector of Bellary.

Sub: Irrigation - Minor - Hadagalli Taluk - Kadlabal village
"Nagari channel" - Removal of silt etc. - Transfer of
management to the Revenue Department - Proposals -
Further report.

Ref: Board's Ref. No. G. 4301/39-1, dated 14-11-1939.

The channel was damaged during the heavy rains in 1935 and the execution of the flood repairs to the channel was entrusted to the Public Works Department and completed in 1938. Action could not therefore be taken till the main channel was repaired by the Public Works Department. Soon after the completion of repairs by the Public Works Department action was taken by the Sub Collector, Hospet to enforce the provisions of the Kudimarama Act for restoring the channel. The ryots, when called upon to render Kudimaramat labour, pleaded their inability to maintain the channel and requested that the management and maintenance of the channel may be transferred to the Revenue Department. They have also agreed to pay enhanced rates of assessment for the management and maintenance of the channel by the Government.

2. Particulars of remissions granted in the previous faslis are furnished below:-

Fasli	Waste	Shavi	Tirvakammi	Total.
			W. D	
1343	13-1-		37-12-0	350-13-0
1346	65-10-		252-6-0	318-0-0
1347	62-9-	89-3-0	174-1-0	325-13-0
1348	02-10-		215-0-0	318-0-0

Remissions are being granted continuously from fasli 1346 from the time the repairs to the main channel were commenced by the Public Works Department.

1312-10-0
 4/1312-10-0
average 328-12-1

Copy of letter No: 840/40-C-11, dated 3-3-1943 from the Chief Engineer (Irrigation).

Sub Irrigation - Bellary - Hadagalli Taluk - Kadlabal village
Hagari channel - Removal of silt.

Ref: i) Board's Ref. No. G.4307/39-1, dated 14-11-1939.

i) C.E.I.'s No. 3926/39 C.E.P. dated 30-1-40.

iii) Board's D.O. No: 624 dated 24-10-1942.

iv) C.E.I.'s D.O. No. 840/40-C-7, dated 3-11-42

Subsequent to my report in my letter No. 3926/39 C.E.P. dated 30-1-40 the Executive Engineer, Bellary Division inspected the channel and had levels taken along its bed. These levels indicate that the channel is badly silted up from head to L.S. 20273'. An estimate for clearing silt from its head upto L.S. 5533' has therefore now been prepared, in addition to the one already prepared by the Revenue Department for silt removal below L.S. 5533'. A provision of Rs. 1000/- is also made in the estimate for cutting berms 6'-0" wide and 4'-0" above bed of channel to facilitate deposition of silt during silt clearance and removal to high bank later. It is reported by the Superintending Engineer, that besides silt clearance, the following improvements are absolutely necessary for the efficient functioning of the channel.

- i) Extending the existing training wall at the head
- ii) Constructing an outlet at L.S. 3334'
- ii) Constructing a vented head wall at 3379'

2. I forward herewith an estimate amounting to Rs. 5,600 with necessary plans, for carrying out the above works, for favour of necessary action. The report accompanying the estimate explains the necessity for and the details of the proposals.

~~This Nagarichannul is to be built by the
 Government and to carry out the work
 and expenses involved is not in the best
 of the public interest. It is not in the best
 of the public interest to hand over the
 management of this Nagarichannul to the
 Revenue Dept. This may be referred to the
 Revenue Dept. for consideration.~~

vide also A
 m p 3 ante

for meeting

Memo
 Message No. 2610 V/MS-1 of 19-5-43
 from the Secy to Govt. P.W.D. to the C.E. (I).
 Bellary - Hadagalli Taluk Kadlaba
 village - Nagarichannul - Removal of m
 by letter from the C.E. (I) to the B.S. & the
 No. 840/40-C-11 of 3-3-43

p 5 ante

The C.E. (I) is requested

Please say whether the Nagarichannul in Kadlaba
 is referred to in your letter cited above is in
 charge of the P.W.D. and if so, whether there
 is any objection to transfer the management
 and maintenance of the channul to the Revenue
 Dept. as requested by the ryots and recommended
 by the
 P.W.D.
 To the C.E. (I)

for the
 P.W.D.
 17/5/43

To the C.E. (I)

~~the Nagar channel, to which the it~~
~~is impossible to note in the best~~ * kept below
~~run again was up charge of the~~ vide also A
~~passed to Revenue~~ 1 m b 3 ante

~~19/5/45~~

VOL. 11

1/1/45
 Tel. message no. 2610 V/MO. 1 of 19-5-45
 From the Under Secretary to Govt. P.W.D. to the C.E. (I).

Bellary dt. Had a calli. Saluk Kadlaba

village - Nagar channel - Removal of silt

Ref. Letter from the C.E. (I) to the B.S. & Co. p 5 ante
 no. 81. n/40-C-II of 3.3.45

M.C. K. (I) is requested

Please say whether the Nagar channel in Kadlaba
 village is to be in your letter cited above - - -
 exchange of the P.W.D. and if so, whether there
 is any objection to transfer the management
 and maintenance of the channel to the Revenue
 Dept. as requested by the ryots and recommended
 by the Collector of Bellary. No
 19/5/45
 P.W.D.

Report to accompany the Estimate for "Repairs and Improvements to No.4 Kadlabal channel in Hadagalli taluk.

Amount of Estimate Rs. 5,600/-

Kadlabal channel is the first spring channel taking off from the right margin of the Chikka Hagari River with an open head near the L.F. bridge at Hagari Bommanahalli village. The first 5500 ft. was washed away during the high floods of 1933 in the river. Consequently an estimate for Rs. 6,900/- was sanctioned in D.R. No.103 BY of 35-36 for diverting the bank in this reach and the work carried out during the year 1939.

2. There is a training wall at the open head of the channel to direct the water into the channel. There is a gap between the existing training wall and the open head of the new diversion channel. Unless this gap is closed water will not flow into the channel. Hence provision is made in this estimate to extend the training wall by 110 ft. so as to close up this gap and to ensure proper supply to the channel. The top level of this wall will be uniformly at +1661.00 as per memoir and the existing damaged wall will also be repaired suitably to that level. The section of the wall adopted is in conformity with the section of the existing wall.

3. The channel runs just by the side of the river and consequently the local drainage water enters the channel all along its length and unless some outlet is provided for in a convenient place the channel is liable to breach and heavy silting will occur. Hence provision is made in this estimate to construct an outlet at 3334 ft. of the channel in the left bank. The length of the weir will be 14 ft. long with crest at +1660.70 i.e., 1.25' above the theoretical bed of the channel at site. Dam stones 1 ft. high over the outlet are also provided to facilitate turf-bunding and diverting supply into the channel even under partial silted condition of the bed at the outlet site.

4. A vented head wall to limit flood flow is now proposed to be

constructed at 3379 ft. from the head or 45' below the proposed outlet. The sill of the vent will be kept at +1658.20 or 1'-3" below the theoretical bed level of the channel at the site and the size of the vent is designed sufficient for an ayacut of 99.44 acres (67.77 acres Government and 31.67 acres Inam). The bottom 1'-3" will be closed with semi permanently with their top at 1659.45 the theoretical bed level of the channel so that low spring water below the bed may be drawn into the channel by removing the planks. The top of the vent in the head wall is kept at +1661.70 or 1'-0" ^{above} the crest of the outlet so that supply may also be drawn into the channel in the event of the channel getting silted up to the crest of the outlet and failure to readily remove the silt. As the channel was managed for many years with an open head and as a lot of vigilance and pressure will be required to ensure proper regulation, no shutters are proposed now for the

5. There is low ground in continuation of the vented head wall at 3379 ft. on right side of the channel over which the flood water may enter the channel below. To prevent the same a stop bank connecting the vented wall with the natural high ground on right side will be formed with top at 1670.98 i.e., 2 ft. above the ordinary M.F.L. of the river opposite the outlet.

6. The channel from head to 5533' and below down to 20273 ft. is heavily silted up. An estimate for clearing silt from head to 5533' is now prepared in addition to the one already prepared by the Revenue Department for Rs. 870/- to remove the silt in the channel below 5533 ft. Provision is also made in the estimate for cutting berms 6'-0" wide and 4'-0" ^{low} above the bed of the channel on the left side to facilitate deposit of silt during annual silt clearance and removal to high bank later on.

It is seen from para 3 of the report accompanying the estimate for the diversion channel sanctioned for Rs. 6,900/- in D.R.No.103 BY of 35-36 that the spoil obtained from the excavation of the channel was utilised for forming the left flood bank to 2 ft. above M.F.L.

The bank has now deteriorated to a certain extent and is not ~~safe~~ for the M.F.L. of the river. Further, this bund is not continuous and has gaps opposite to vanka crossings. Hence it is now proposed to make up the bank to the standard by removing the silt from the channel or otherwise

(Sd) N. Padmanabha Ayyar,
Deputy Chief Engineer for Irrigation.

PUBLIC WORKS DEPARTMENT

from Sri Rao Bahadur

. Gāvinḍaraja Ayyangar, B.A., B.E.,
Chief Engineer for Irrigation,
Mepauk, Madras.

To

The Secretary to Government,
Public Works Department.

D. 237

1943
PUBLIC WORKS DEPT.

No. 840/40-C-13. dated 17th June 1943

Sir,

Sub: BELLARY DISTRICT - Hadagalli taluk - Kadlaba
village - Hagari channel - Removal of silt.
Ref: Your Memo. No. 2610-y/43-1 dated 19-5-43

With reference to Government memo quoted above, I have
to state that the channel is not in charge of Public
Works Department and that there is no objection to the
Revenue Department taking over the management and main-
tenance of the channel.

[Signature]
15/6

For CHIEF ENGINEER FOR IRRIGATION.

17/18-6.

[Signature]
19/6

100K man / PWD
To U.S.

This Dept may agree with Mr. UZ in his reimbursement
p13ant. The file may be passed on
to Rev who may issue the
necessary orders in this case:

TDS

~~118~~

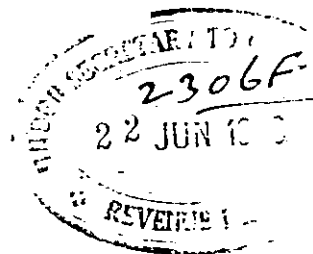
~~118~~

W

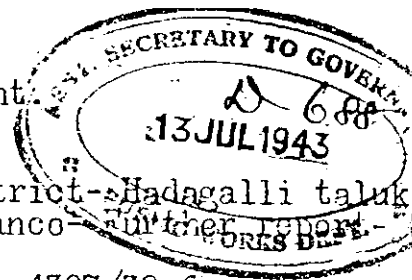
22/6/45 Rev

P.W. no 26/01/45
22-6-45

75



Revenue Department.



subject. Irrigation- Minor Bellary district- Hadagalli taluk- Kadlabal village- Hagari channel- Silt clearance- Further report- Submitted.

Refce. No.G/h. 4307/39-6.

M a d r a s.

7th July 1943.

From

Galletti Esq., I.C.S.,
Joint Secretary, Board of Revenue,
M a d r a s.

J.C. Wood Esq., C.I.E., I.C.S., Commr. of Land Rev.
and Irrigation.

Read the following paper:-

Letter from P.S. Viswanatha Ayyar Esq., I.C.S., Collector of
Bellary, Ref. No.C. 1943/43 A.2 dated 10th June 1943:-

Ref:- Boards Ref. No.G/h. No.4307/39-5 dated 10-5-43.

The Hagari channel at Kadlabal is a IVth class minor
irrigation source having an ayacut and revenue as noted below:-

Extent	Government Assessment	Inam	Extent	Assessment	Quit-rent	Ayacut	Revenue derived
1-77	368 3 0		31-67	246-9-0	30-10-0	99-44	398 13 0

It depends for its supply on the Hagari spring channel.

In the year 1931-32 the bund and revetment of the channel
were repaired at a cost of Rs. 454.

Proceedings of the collector, Mumbai.
D. M. Chitrakute / Sdg. I. C. S.

no. A. S. 545-36

Dated 25-1-36.

REVENUE WORK - Inspection - Taluk
Inspector - Orders passed.
Inspection notes by inspecting

The remarks of the
notes are endorsed.

Mr. J. K. J. in his general

The maintenance of stock advances accounts and taluk
office is on the whole satisfactory.
The Talukdar and the Deputy Talukdar are requested

to report before 15-5-36 the defects pointed out in the inspection notes requested to
inspect the taluk office and the revenue Divisional Officer is requested to
submit a report before 15-5-36 regarding the rectification of
the defects.

During the heavy rains of 1933 the channel was damaged and became silted up badly. The P.W.D. executed flood-repairs by constructing a revetment to the channel at a cost of Rs.6679/- The ryots, who should have attended to silt clearance, being mostly non-residents, pleaded inability and requested that the management of the channel may be taken over by the Revenue department. They are willing to contribute towards the cost of maintaining it instead of providing customary labour for it, and also to pay an additional assessment of Rs. 5/- per acre per year for the first three years and Rs.3/- per acre per year in subsequent years as already reported in this office D.Dis. 5602/38 dated 13-9-39. Owners of inam lands have also agreed to pay this additional assessment

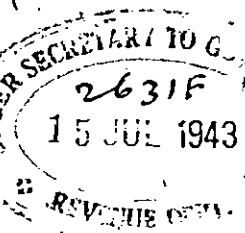
Reference.

Submitted to the Government in continuation of Board's Refce. No.G/h. 4307/39-5 dated 10th May-1943.

T. R. Varadachari
for Jt. Secretary. 7.43

To the Secretary to Government, Public Works Dept.

Rev
1. Ind.
The main file was
sent to P.W.D. for
their Rev
20.7.43
51.7.43
acceptance
the deft.
put up therein.
return may be
waited.
2.5.43
16.7.43
6880/43-1
14.7.43



file in which the Board's report
above was dealt with was
sent to Rev finally with P.W. no. 2610
22.6.43. This may be passed on
Rev.
13.7.43
16/7/43

Respectfully,

Enclosure. We enclosed detailed check mark

Letter. No enjoyment list has been submitted, the
Kern should be used. An amount of \$5,000 is
pending collection. The W. H. Book containing sketches
from \$10.00 to \$200 is said to be not available;
early action should be taken to trace it; the Kern
must be very careful to lose books like this.

3. Van Alstede. 15 stones are to be attended to. The
balance of \$5,000 under C. H. Collectors should
be collected and returned soon. The stock in the
depot is inadequate.

4. Wells. There are still 17 stones waiting action.

5. Winkler. 34 transfer applications are pending and
possibly action should be expedited. 30 stones are
pending action. The stock in the depot is inadequate.
The plan is to turn.

6. Porter. 28 stones are to be attended to. The plan
has become old enough.

7. Korn. Maintenance work has done. There are 28 stones
to be attended to. The H. A. Inspector should take
early action.

8. Thompson. An amount of \$5,000 is pending collection
and maintenance.

5/11/2017

Re: Behl

23065/431

Read: From the Board of Rev. Karm

Plant

Ordn. 1.201159-5 & 10.

3/1

Order No. 2166 - 26-1-43

in the

Sanction is accorded for the

in the

Chairman of the Hagg
Chamex, under Kadla

of the

Hadaguni, Bellary district
at a cost not exceeding Rs 5,600

in the

(Rupees five thousand six hundred
only) subject to the

and

that the maintenance

Management of the Channel should be taken
over by the Govt in the Revenue Dept; and

(2) That the ryots ~~should~~ be benefited by the Chan-
should execute an agreement in due be-
form before the Govt is put in and binding
them self to pay additional assessment of
Rs 5/- per acre in the next three years and
Rs 3/- per acre from the fourth year onward,
as contribution towards the maintenance of the
Channel in working order by the Government.

^{Order will issue regarding the dispo}
The additional amount collected towards
the maintenance of the Channel should be
set apart for the benefit of the village under which
by the Madras Compulsory Labour Act, 1886

7/18/12

O. M. no. 55314/47

dated 18.12.47

Irrigation - Minor - Beckariy - Hadagalli Taluk.
Kaddabul Village - silt clearance Hagari
channel - silt clearance, Berin cutting - ~~Maintenance~~
Maintenance
From the Bd of Revenue No 1 G. 2106/47-3
d. 10.12.47

^{other correspondence}
copies of the Byr references are of the sort disposed
~~reasons for suspension with the Board of~~ of
G.O. Ms. 2166 dated 26.7.1933 are turned
~~to the Bd. in the same~~
along with its ref. no. G. 4307/38-9 of
22.10.43 and the correspondence
relating to it.

Pm
16/12.47

17.12.47

To ✓
The Bd.
re
with copies of
HW 1-19 26
of 11/12/47 931-34

REVENUE DEPARTMENT

Subject.

IRRIGATION--Minor--(Bellary)--Hadagalli Taluk--Kadiabal village--Hagari
channel--Maintenance.

Ref. G. No. 3686/47-3,

Dated 10th Dec. 1947.

From

C. A. Ramakrishnan Esq., I.C.S.,
Joint Secretary, Board of Revenue.

W. N. Kudva Esq., C.I.E., I.C.S.,
Commissioner of Land Revenue, Excise and Prohibitions

Collector of Bellary, C.6462/44. dated 13/10/47.

Read the following

REFERENCE

2. The Board invites the attention of the Government to G.O. No. Ms. 2166, Revenue dated 26/7/43 and requests that the Government may be pleased to send copies of the Board's references disposed of therein, as the B.P. containing the correspondence is not traceable.

for Joint Secretary.

the Collector of Bellary. Para 1 only.

the Secretary to Government, Revenue Department, Para 2 only

RS 10/12
R. 10/12/47.

the Board of the
 ✓ Cdt. Bellamy
 ✓ Mr. Dept. of
 ✓ Ck (I) 27/7/43

~~Advised (let 7 of 1858)~~ The draft
 & agreement should be submitted to Board / Ch
 28/6/43 19.6.43 11h 17/43 approved

✓ Mr.
 The draft as proposed
 accordance with the Board's
 recommendation. May be sent
 to Mr. H. in acceptance P.W.D
 28/6/43 19.6.43 11h 17/43 approved

2 JUL 1943
 508
 WORKS DEPT.
 Received 23/7/43
 7/8/43

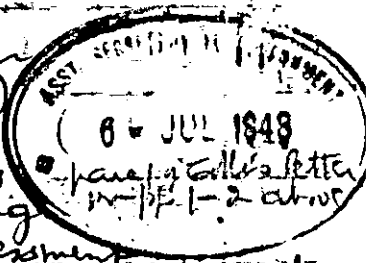
u.s. The draft order on Hk 15-17 ante may be
id and the file passes into Fin.

12
5/1/39

5/1/39 Fin (Exp. B) + 1 P.S. 2000-5058421
5-7-38

~~Draft order on Hk 15-17 ante may be accepted of the~~

The maintenance of the channel in
a state of repair (silt clearance etc)
is a duty devolving on the ryots under the
provisions of the Tensi-mara-mat Act. But the ryots
are unable to do this work. They are, however, willing
to contribute towards the cost by paying an addl. assessment
Rs. 5 per acre for the first three years & Rs. 3 per acre
subsequent years. These rates were proposed in 1939
when the initial cost of berm cutting, silt clearance etc.
was estimated at Rs. 2050. The cost has now gone up to Rs. 5600
the question is whether the ryots ~~should~~ be asked to
make a larger contribution.



18052 Exp B
p. 2 abn
p. 1 abn

According to the present proposals the Govt. will have to meet an initial non-recurring expenditure of Rs 5,600 and a recurring expenditure of Rs 400 per annum for the maintenance of the

Addl. assessment

on 99.44 acres Rs.

Rs 5 an acre 497

leaving in re

mission (an-

ual average

328

825

400

425 x 3

= 1275

5600 - 1275 = 4325

channel. Against this, they may get an additional income of Rs 825 per annum for the first three years and Rs 626 p.a. thereafter.

This means that against the initial expenditure of Rs 5,600 the

Govt. will get back a total sum of Rs 1,275 during the first three

years. The net outlay at the beginning of the fourth year

is Rs 4,325. Against this, the net income will be Rs 226 p.a. or a

return of about 5 per cent.

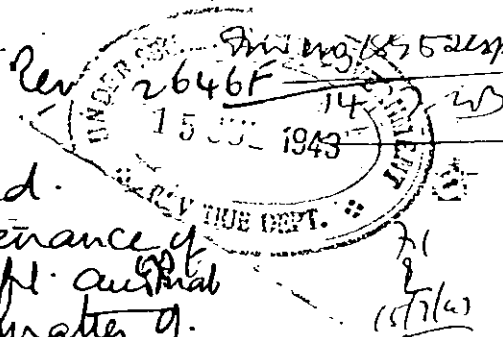
The proposals may be agreed to and the draft order may be accepted.

2. In para 2 of the draft order (which is based on para 3 of the Board's Reference) it is stated that the additional amount collected should be set apart for the purpose of irrigation and drainage works for the benefit of the village. It is not clear

what arrangements will be made to ensure this. Revenue may be requested to kindly elucidate this point separately after issue of the draft order.

$\frac{-14}{14.7.43}$ The full amount collected in each year from the 14th year cannot be used for current work, as the excess over current cost of maintenance will be needed for credit to get by way of interest on the initial outlay met by them. The procedure under para. 2 of the draft needs to be cleared up before it is issued. Dtd 7.4.43. Rev.

P.O.S.



Fin. Secy's note at 'H' above may be perused. The proposals ~~of the Secy~~ are that (i) the maintenance of the channel shall be taken over by the Rev. Dept. and that the Secy. shall be absolved of any liability in the matter of. Still clearance sh. under the Kudimarama matter ^{for their} paying an additional assessment - Rs 5/- per acre during the first three years - and 3/- per acre from the 4th year onward and that an agreement in due legal form shall be executed by them. No additional assessment Mrs. Chock is into. and sh. to meet the cost of Kudimarama.

No 2

Attention is invited to the form of the Statute
under 1850 No 26, paras
prescribed in Art. 11 at p. 507 of No. 26, Statute.

The register is maintained village-wise and will furnish
particulars of disposal of the amount thus collected.

The last Sub. para Section 6 of the Madras Land Revenue
Act, 1858 is mandatory and does not seem

186 Mad.
Code Vol. I
para 6

to admit of appropriation of any of the amount
collected to meet the cost of the ^{expressly} ordinary maintenance

to any lands interest or ^{interest} in any way or repairs and
improvements to the ^{channel} ~~bank~~ as prepared by Fin. Secy.

It will be observed from para 2 of the Cdr's letter at
p. 2 ante, the entire assessment of Rs 368-30 on
rythuwan lands is being remitted annually

is there is no supply in the ~~bank~~^{channel}. With the
taking over of the maintenance of the Channel
the Rev. Dept. This will be a regular M.T. work
in Collecting has in purchase stocks that in view of the pro-
scanty and uncertain rainfall in the district,
all irrigation schemes have to be maintained
as protective works against famine. It's
therefore for consideration, whether remunerative
aspect has to be taken into account in this case
~~rather~~ a certain amount if the extra assessment
should be credited towards ^{initial outlay or} as proposed by P.W.D.
If so, the rate of interest has to be determined.
The ex-ho Assessment Collector is not to be
treated as a contribution under the Madras Act I of 1888.

Towards Budinarrath, the entire amount of assess-
ment together with the extra assessment ^{may} ~~will~~ ^{have}
as well to be credited to General revenues and the terms
of agreement. The executed by the rights should
make no be suitably modified.

Legal may, perhaps, advise in the
matter. He also may see for remarks.

To obviate delay in the execution of repairs
to the Channel and clearance of Silt etc, the
S-17 Staff may issue with para 2 amended as
and indicated in pencil. The file to be sent to P.W. & Highways
after issue of draft.

8/10/54 WS 2/2/54 The draft under as revised may come
20/7/54 Extracts will be taken & further examination this of
the joint raised by the Govt will be made
Sundar V. 21/10/54

Memorandum 2873 P.W.3 & 11. 7. 43

Trigahar Immur (Vellay) - Kadagalli Taluk
Kadlabal Village - 1st clearance and
1st Clearance Sh. - Collection of Surplus
Assessment. Disposal. Procedure.
20.7.43

With reference to the second sub para d.
Para 2 of the Board's Memo No. 4307/385
of 10.5.43, the Board of Revenue is informed
that the ^{no proposal submitted to pay an} additional assessment collector
~~from the rights of Kadlabal village in the~~

~~The Magistrate at N. H. ...~~
~~... of the ... channel ...~~
~~... be brought within the ... section 6 of ...~~
~~... be treated ... as a ...~~

@ Madras Act I of 1858 inwards the ...
And that the entire amount of Assessment
together with the exha assessment should be
credited to the General revenues. The terms
of ^{the} agreement to be executed by the ...
should be contain also a provision to the effect
that the additional assessment ^{should} be credited
to General revenues.

2 The Board is very pleased to submit the draft
agreement for approval of the Govt as already
addressed in para. 2 of No 2466 Mer 26.7.43
128 W 25/8/43 M. S. S. 12/11/43

Revenue Department
Subject

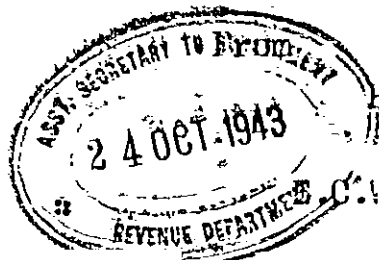
W 4065 F
25/10

Irrigation - Minor - (Bellary) Hadgalli Taluk - Kadlabai
village - Hagari chanr - Silt clearance etc., - Draft
agreement - Submitted

Refce.No.G.4307/3979;

H a d r a s

Dated the 22nd October 1942



H. Galletti, Esquire, I.C.S.,
Joint Secretary, Board of Revenue.

C. Wood Esquire, C.I.E., I.C.S., Commissioner of Land
Revenue and Irrigation.

Read the following papers:-

- G.O.No.2166 Revenue dated 26th July 1943.

II

Memorandum from Government, Revenue Department, No.2873 F/43-3
dated the 4th September 1943.

III

Letter from I.M.Fraser Esquire, I.C.S., Collector of Bellary,
R.O.C.No.1943/43-A.2 dated the 14th October 1943.

REFERENCE

With reference to the Orders cited above, the Board
submits to the Government for approval the draft agreement sub-
mitted by the Collector of Bellary, after scrutiny by the Govern-
ment Pleader, Bellary.

O.D. Galletti
for Joint Secretary?

To the Secretary to Government, Revenue Department, with acopy
of the draft agreement.

n.n./23-10-1943 *23/10*

AGREEMENT.

Agreement made this day of 1943 between the ryotwari and Inam Wet Ayacutdars under the Minor Irrigation source known as the Kadlabal Hegari Channel, Madagalli Taluk, (herein-after called the 'ayacutdars' which term shall include the ryotwari and inam wet ayacutdars above-mentioned and their heirs, executors, administrators, legal representatives and assigns) of the one part and ^{His Excellency the Governor} ~~the Provincial Government of~~ Madras ~~represented by the Collector of Ballari~~ the other part.

~~Whereas the ayacutdars who are bound under Section 6 of Act, 1858 to remove silt from the bed of the said channel have expressed their inability either to contribute labour to the removal of silt or to pay a cash contribution instead, and have requested that the management and maintenance of the channel may be taken over by the Provincial Government (Revenue Department), and whereas they have undertaken to contribute in cash in lieu of customary labour to the future maintenance of the channel and to pay on their holdings in the wet ayacut thereof an additional assessment of Rs. 5/- per acre per fasli for the first three years and Rs. 3/- per acre per fasli in subsequent faslis, in case the silt clearance work is executed year after year at Government cost;~~

Now these presents witness that for carrying the said agreement into execution, the ayacutdars for themselves, their heirs, executors, administrators, legal representatives and assigns, and the Provincial Government for themselves, their representatives and assigns, do hereby mutually contract, each of the former with ^{ag} the latter, as follows:-

Terms of the contract.

(1) ~~The Provincial Government shall undertake to carry out all repairs to the said channel ordinarily performed by the village community under sec. 6 of Act I of 1858 inclusive of the removal of the accumulated silt year after year at their own cost to the extent that is absolutely necessary for the efficient functioning of the channel;~~

(2) The ayacut called upon to contribute labour to the future maintenance of the channel, but shall pay on their holdings in the wet ayacut thereof an additional assessment of Rs. 5/- per acre per fasli for the first three faslis to meet the initial costs in bringing the channel in good condition which has been rendered unfit by continued neglect of the ryots, and Rs. 3/- per acre per fasli in subsequent faslis for the due performance by Government of the items of work specified under sec. 6 of Act I of 1858. [The enhanced assessment is in addition to the quit-rent on inam lands.]

(3) The enhanced assessment at the above rates ~~shall~~ be leviable in the fasli in which repairs to the channel are completed and there is adequate supply in the channel for raising a wet crop;

(4) The additional assessment if it be not paid under the terms of this contract shall be liable to recover under section 52 of the Madras Act III of 1864 as amended, by Madras Act 15 of 1939 ~~from all the registered ayacutdars (Government & Inam)~~

(5) The additional assessment referred to ~~shall be collected under clause (4) every year~~ shall under section 6 of Act I of 1858 be set apart for and applied as and when necessary to the repairs of the channel for the purpose of irrigation or drainage executed for the benefit of the village communities to which the ayacut is respectively belong.

(6) The ~~amount~~ referred to in clause (2) shall be payable in addition to the assessment revised during a general revision of assessment at the time of resettlement.

(7) The collection of enhanced assessment shall be remitted if the original assessment fixed or a portion thereof is remitted under the provisions of I.T.O. if owing to floods or other calamities the channel falls in disrepair or the entire ayacut is wasted.

(C) - ^{admitted} remission of the advanced assessment will be made if the ayacutdars intentionally allow the lands to lie ~~un-cultivated~~ ^{un-cultivated} or raise dry crops.

(2) The ~~provincial~~ government shall have the right to cancel the contract at any time without assigning reason therefor.

In witness whereof the ayeoutdars and the Collector
Bollary on behalf of the Government have herunto set their res-
pective hands (The day and year first above written)

and by the order and direction
of His Excellency the Governor of Madras)

AVOLUTARY

141043
HHS
Signed by the American

51

R8

C.I.B. / 27/11
 Issue. Snel for copy
 with N.F. 13
 pl keep with put
 clear by the
 R. 29/11/43

R. 29/11/43

G.M. No. 2873 F/43-6 D. 29-11-1943

Irigation - Minor - Bellary - Hadagalli taluk
 Kadlatal taluk - silt clearance and berm
 cutting etc., - draft agreement.

From the Board of Rev. No. G. 4307/39-9 of 22-1

The draft agreement submitted by the

Board of Revenue with its reference quoted above
as approved by Govt.

is forwarded to the Board. The attention of the

Board is invited to condition (2) referred to in

para 1 of G.O. 2166 Rev. of 26-7-43 and the

Board is requested to take action accordingly.

13-17-18 of (L)

11/11/43

The Board of Rev.
 (with a copy of agreement
 as revised by legal)

R. 20-11-43 22-11-43

26-11-43

Uth
 26-11-43

Agreement made this day of 1943
between the ryotwari and Inam wet Ayacutdars under the Minor Irrigation source known as the Kadlabal Hagari Channel, Hadagalli taluk, Bellary district, (herein-after called the 'ayacutdars' which terms shall include the ryotwari and inam wet ayacutdars above-mentioned and their heirs, executors, administrators, legal representatives and assigns) of the one part and His Excellency the Governor of Madras of the other part.

Whereas the ayacutdars who are bound under section 6 of the Madras Compulsory Labour Act, 1858 (hereinafter called the Act) to remove silt from the bed of the said channel have expressed their inability either to contribute labour to the removal of silt or to pay a cash contribution instead, and have requested that the management and maintenance of the channel may be taken over by the Government of Madras (hereinafter called the Government), and whereas the ayacutdars have undertaken to contribute in cash in lieu of customary labour to the future maintenance of the channel and to pay on their holdings in the wet ayacut thereof an additional assessment of Rs.5/- per acre per fasli for the first three years and Rs.3/- per acre per fasli in subsequent faslis, in case the silt clearance work is executed year after year at Government cost,

Now these presents witness ~~xx~~ and the parties hereto mutually agree as follows:-

Terms of the contract.

1) The Government shall undertake to carry out all repairs to the said channel ordinarily performed by the ayacutdars under section 6 of the Act, inclusive of the removal of the accumulated silt year after year at their own cost to the extent that is absolutely necessary for the efficient functioning of the channel;

2) The ayacutdars shall not be called upon to contribute labour to the future maintenance of the channel, but shall pay on their holdings in the wet ayacut thereof an additional assessment of Rs.5/- per acre per fasli for the first three faslis to meet the initial costs in bringing the channel in good condition which has been rendered unfit by continued neglect of the ayacutdars, and Rs.3/- per acre per fasli in subsequent faslis for the due performance by the Government of the items of work specified under section 6 of the Act. The assessment referred to above is in addition to the quit rent in the case of inam lands and the ordinary assessment in the case of ryotwari lands

(3) The enhanced assessment at the above rates shall be leviable in the fasli in which repairs to the channel are completed and there is adequate supply in the channel for raising a wet crop;

(4) If the additional assessment referred to in clause (2) is not paid under the terms of this agreement, it shall be liable to be recovered under section 52 of the Madras Revenue Recovery Act, 1864.

(5) The additional assessment referred to in clause (2) shall be credited to the general revenues of the Government together with the original assessment on the lands.

(6) The assessment referred to in clause (2) shall be payable ~~in~~ in addition to the assessment revised during a general revision of assessment at the time of resettlement.

(7) The collection of the additional assessment shall be remitted if the original assessment fixed or a portion thereof is remitted under the provisions of the Standing Orders of the Board of Revenue if owing to floods or other calamities the channel falls in disrepairs or the entire ayacut is waste.

(8) No remission of the additional assessment will be made if the ayacutdars intentionally allow the lands to lie waste or raise dry crops:

(9) The Government shall have the right to terminate this agreement at any time without assigning reasons therefor.

In witness whereof the ayacutdars and the Collector of Bellary acting for and on behalf of and by the order and direction of His Excellency the Governor of Madras have hereunto set their respective hands.

Signed by the above named

in the presence of

Signed by the abovenamed

in the presence of

*Compared and
found to be correct.*

*By
[signature]*

Extract from notes to G.O.No.2166 Revenue, dated
26th July 1943.

Subject:- Irrigation - minor - Bellary - Hadagalli Taluk
Kadlabal village - Silt clearance berm cutting etc. - Estimate
for Rs.5,600 - Sanctioned subject to certain conditions -
Collection of additional assessment - Disposal of-Procedure.

Ke. Cno 28731/LIS
3.7.43

File (Exp. B)

The maintenance of the channel in a state of repair (silt clearance &c.) is a duty devolving on the ryots under the provisions of the Kudimaramat Act. But the ryots are unable to do this work. They are, however, willing to contribute towards the cost by paying an additional assessment of Rs.5 per acre for the first three years and Rs.3 per acre in subsequent years. These rates were proposed in 1939 when the initial cost of berm cutting, silt clearance &c. was estimated at Rs.2050. The cost has now gone up to Rs.5600 and the question is whether the ryots should be asked to make a larger contribution.

According to the present proposals the Government will have to meet an initial non-recurring expenditure of Rs.5,600 and a recurring expenditure of Rs.400 per annum for the maintenance of the channel. Against this, they may get an additional income of Rs.825 per annum for the first three years and Rs.626 p.a. thereafter. This means that against the initial expenditure of Rs.5,600 the Govt. will get back a total sum of Rs.1,275 during the first three years. The net outlay at the beginning of the fourth year will be Rs.4,325. Against this, the net income will be (Rs.626-400) Rs.226 p.a. or a return of about 5 per cent.

The proposals may be agreed to and the draft order may be accepted.

2. In para 2 of the draft order (which is based on para. 3 of the Board's Reference) it is stated that the additional amount collected should be set apart for the purpose of irrigation and drainage works for the benefit of the village. It is not clear what arrangements will be made to ensure this, Revenue may be requested to kindly elucidate this point separately after issue of the draft order.

Addl. assessment
on 99.44 acres Rs.
Rs.5 an acre 497
Saving in remis-
sion (annual
average) 328
825

298.32
497
1575

as originally
drafted (amended)
subsequently
11/8-1943

The full amount collected in each year from the 4th year cannot be used for current work; as the excess over current cost of maintenance will be needed for credit to Government by way of interest on the initial outlay met by them. The procedure under para. 2 of the draft needs to be cleared up before it is issued.

D.W.D.
14-7-43.

Revenue Dept.

To U.S.

Fin. Secy's note at 'A' above may be perused. The

proposals are that (i) the maintenance of the channel should be taken over by the Rev. Dept. and ⁽ⁱⁱ⁾ that the ryots should be absolved of any liability in the matter of silt-clearance etc. under the Kudimaramath Act on their paying an additional assessment of Rs.5/- per acre per annum during the first three years and Rs.3/- per acre from the 4th year onwards and that an agreement in due legal form should be executed by them. The additional assessment thus collected is intended only to meet the cost of Kudimaramath.

Attention is invited to the form of the statement prescribed under B.S.O. No.86, para. 5 in App. III at p.507 of B.S.O. Vol.II. The register is maintained villagewar and will furnish particulars of disposal of the amount thus collected. The last sub para of section 6 of the Madras Compulsory Labour Act, 1858 is mandatory and does not seem to admit of appropriation of any of the amount collected expressly to meet the cost of the kudimaramath toward interest on initial outlay on repairs and improvements to the channel as proposed by Fin. Secy. It will be observed from para. 2 of the Collr's letter at p.2 ^(encd.) ante, the entire assessment of Rs.368-3-0 on ryotwari lands is being remitted annually, as there is no supply in the channel. With the taking over of the maintenance of the channel by the Rev. Dept. ^{This will be a} regular M.I. work. The Collector has in para. 4 ^{of his letter as per (encd.)} stated that in view of the scanty and uncertain rainfall in the

irrigation sources have to be maintained as protective works against famine. It is therefore for consideration, whether remunerative aspect has to be taken into account in this case and a certain amount of the extra assessment should be credited towards interest ~~xx~~ on initial outlay ^{as} proposed by Fin. Secy.

If so the rate of interest has to be determined. If the extra assessment collected is not to be treated solely as a contribution under the Madras Act I of 1858 towards kudimaramath, the entire amount of assessment together with the extra assessment may as well to be credited to general revenues and the terms of agreement to be executed by the ryots should be suitably modified. Legal may, perhaps, advise in the matter. P.W. also may

To obviate delay in the execution of repairs to the channel clearance of silt etc. the draft may issue with para. 2 amended as indicated in pencil. The file may be sent to P.W. and Legal after issue of draft.

P.A.

23-7-43

The draft order as revised may issue. Extracts will be taken & further examination of the point raised by Fin. Secy. will be made.

S.W.C.D. 23-7-43.

Yes. Issue.

V.S.H. 23-7-43.

[Issued as L.O no 2166 Rev & 26.7.43]

To Secy.

As the sent to P.W. and Legal for remark

8/23-8-18/43

1/11/43

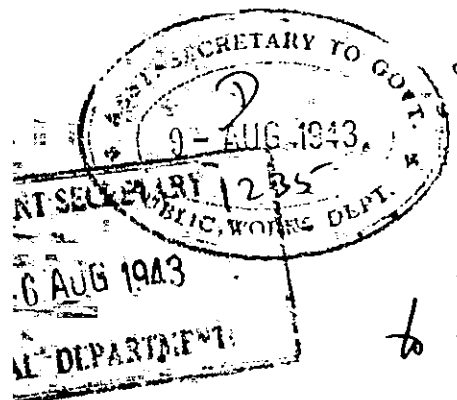
P.W.D
Legal

731/43-1 1021.5.
10-8-43

The expenditure of Rs 5600 sanctioned this case is on a work which will improve the silt available in the channel by the deposit in the channel. The work is under ordinary maintenance and repairs is not intended to improve the channel itself by bringing in additional acres under cultivation.

It seems that the remunerative aspect of the work does not arise in this case. The file may pass.

12.8.43



5208

There is no legal objection to the proposal of Revenue at A on the previous page. The proposed agreement to pay an additional assessment per acre in lieu of the obligation to contribute towards the repair, improvement and maintenance of the channel ~~under the Compulsory Labour Act, 1858~~, cannot be brought within the scope of section 6 of the Compulsory Labour Act, 1858, and consequently the limitation imposed by the last paragraph of that section will not apply in this case. In other words, a provision in the agreement to the effect that the additional assessment should be credited to general revenues cannot be said to be in violation of the provisions of section 6 of the Act.

K.M. 1818/43

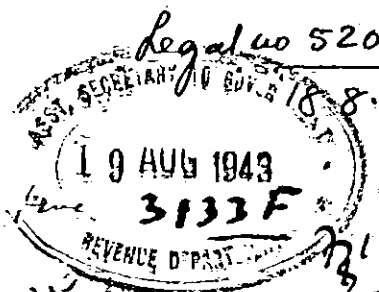
Rev.
1878
u

D.H.

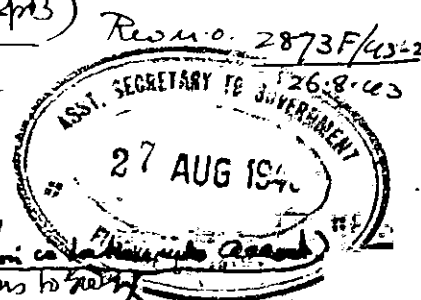
A draft is submitted to the Board of Revenue for approval.

S. S. W. 25/8/43

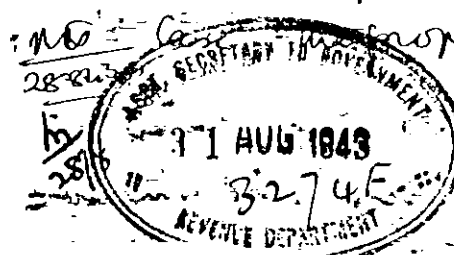
26/8/43 Fin (Exp)



Please see previous Fin. note on pages 1-2 above and the notes forming. The proposal of Revenue at A overhead may be agreed to in Fin. many.



The proposal will be financially advantageous to the Government.



K.R.V. 29.8.43 Rev. 30.8.43 Rev. 100.5 Please see the Fin. note above. Draft Memo may now

2028.8.43
Fin 26289 & 1/4
Sums at charge 30-8-43
Sums at charge 196
at 3.5 percent 400
Revenue 397
Sums at charge 298
Revenue 295
Sums at charge 528
Revenue 350

Provisionally

Issued as O.T. No. 2873 F/43. 3.8.4.9.43

L3 of Finance Board of Rev. Ref. G. 4307/39-9322-43

Please see the memo to the Board of Revenue at M. 1.5.43 with reference to para 1 of the memo on p. 1-2 of clause 5 of the terms of the draft agreement provides that the additional assessment should be credited to general revenues.

may be sent to the Government for consideration. P.W.S. may also see.

Rev. 2.2.78

A.T.

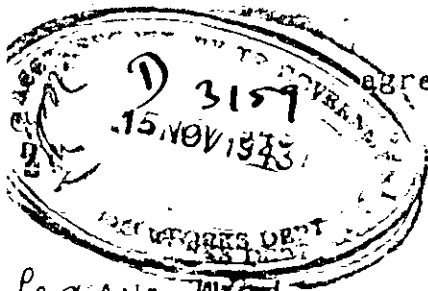
Clause (2). The last sentence which refers only to inam lands should be amplified so as to include a reference to ryotwari lands also. It may therefore run as follows:--

"The assessment referred to above is in addition to the quit rent in the case of inam lands and the ordinary assessment in the case of ryotwari lands."

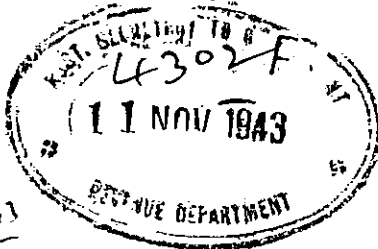
Clause (4). This may be recast as follows:--

"(4) If the additional assessment referred to in clause (2) is not paid under the terms of this agreement, it shall be liable to be recovered under section 52 of the Madras Revenue Recovery Act, 1864."

The other alterations indicated in red ink on the agreement may also be made.



Legal No. 1018-1
11-11-43

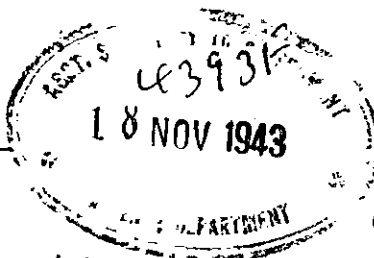


RE
11-11-43

Rev. M.O. 2873F/43-5
15-11-43

Rev. 3159D/43-1
18-11-43

DPK
17-11-43



RE
18-11-43

117-19 of (L)

(L)

TO U.S.

The file may be sent to P.W.D. with ref.

'A' and 4 ante. pmt
Re 18-11-43 / 13-11-43 / 1-11-43 PW

pm D

The file may be perused and

returned to the Rev. dept.

18/11/43 Rev

TO U.S.

Please see the Remarks of Legal and P.W. above. A copy of the agreement as revised by Legal ~~is forwarded at (4)~~ may be sent to the Board of Res and the Bd requested to take action with reference to condition (2) of the

Board of Res. 2166 Res of 26-7-43. A draft Memo is

sent for approval. After some the papers may be stitched and

Re 20-11-43 / 22-11-43 / 26-11-43 S

1/4
28/11/43